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5 UNITED STATES DISTRICT COURT
6 DISTRICT OF NEVADA

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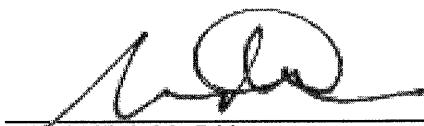
8 RICKY LEWIS, et al., Case No. 3:13-cv-00312-MMD-WGC
9 Plaintiffs, ORDER
10 v.
11 STATE OF NEVADA, et al.,
12 Defendants.

13 Plaintiff has not timely responded to the prior order directing that he file a
14 completed CJA 23 form within twenty-one (21) days of entry of the order (dkt. no. 8).
15 Plaintiff no longer is in custody, and the prison mailbox rule therefore does not apply to
16 his submissions. The order stated that failure to timely comply with the order would
17 result in the action being dismissed without further advance notice. In dismissing the
18 action without prejudice, the Court has considered the public's interest in expeditious
19 resolution of litigation, the need to manage its docket, the risk of prejudice, the public
20 policy favoring disposition of cases on their merits, and the possible availability of
21 actions other than dismissal.

22 It is therefore ordered that the application to proceed *in forma pauperis* (dkt. no.
23 1) is denied without prejudice and that this action shall be dismissed without prejudice.

24 The Clerk of Court shall enter final judgment, dismissing this action without
25 prejudice.

26 DATED THIS 7th day of May 2014.

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MIRANDA M. DU
UNITED STATES DISTRICT JUDGE